



Atty. Dkt. No. DIOP-07900

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Inventor: Henry Welling LANE, et al. Confirmation No.:

Application No: 10/808,226 Examiner:

Filing Date: March 23, 2004 Group Art Unit:

Title: EYEGASSES AND METHOD OF MANUFACTURE THEREOF

\* \* \*

INFORMATION DISCLOSURE STATEMENT


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P.O. Box 1450  
Alexandria, VA 22313-1450

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Pursuant to 37 CFR §1.56(a) and 1.97(b), Applicant hereby cites the following document(s) listed on the attached Form(s) PTO/SB/08 along with any required copies of listed document(s). In accordance with 37 CFR §1.97(h) the filing of this information disclosure statement shall not be construed as an admission that the information cited in this statement is, or is considered to be, material to patentability as defined in § 1.56(b).

The Commissioner is also authorized to charge any deficiencies in fees and credit any overpayment of fees to Deposit Account No. 50-1610.

Respectfully submitted,  
Law Office of Derek J. Westberg

By   
Derek J. Westberg  
Reg. No. 40,872  
Attorney for Assignee

June 21, 2004  
Date



FW

<b>TRANSMITTAL FORM</b>  (to be used for all correspondence after initial filing)	Application Number	10/808,226
	Filing Date	March 23, 2004
	First Named Inventor	Henry Welling LANE, et al.
	Art Unit	
	Examiner Name	
Total Number of Pages in This Submission	Attorney Docket Number	DIOP-07900

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SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
Firm or Individual name	Derek J. WESTBERG (Reg. No. 40,872)
Signature	
Date	Jun 21, 2004

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# INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(Use as many sheets as necessary)

## Complete if Known

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Examiner Name	
Attorney Docket Number	DIOP-07900

Sheet 1 of 3

## U. S. PATENT DOCUMENTS

Examiner Initials*	Cite No. <sup>1</sup>	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code <sup>2</sup> (if known)			
		US- 2,407,518-A	09-10-1946	Schauweker	
		US- D166,578-S	04-22-1952	E. M. Splaine	
		US- 4,707,863-A	11-24-1987	McNeal	
		US- 4,969,472-A	11-13-1990	Langley et al.	
		US- 4,976,530-A	12-11-1990	Mackay et al.	
		US- 5,416,536-A	05-16-1995	Tee, Jr.	
		US- D407,566-S	04-06-1999	Lane	
		US- D408,840-S	04-27-1999	Lane	
		US- 5,969,786-A	10-19-1999	Marcum	
		US- D416,933-S	11-23-1999	Lane	
		US- D417,461-S	12-07-1999	Lane	
		US- D418,534-S	01-04-2000	Lane	
		US- D419,585-S	01-25-2000	Lane	
		US- D422,007-S	03-28-2000	Pickering et al.	
		US- D433,697-S	11-14-2000	Lane	
		US- D433,698-S	11-14-2000	Lane	
		US- D434,062-S	11-21-2000	Lane	
		US- D434,063-S	11-21-2000	Lane	

## FOREIGN PATENT DOCUMENTS

Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T <sup>6</sup>
		Country Code <sup>3</sup> Number <sup>4</sup> Kind Code <sup>5</sup> (if known)				

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		US- D434,064-S	11-21-2000	Lane	
		US- D434,789-S	12-05-2000	Lane	
		US- D435,579-S	12-26-2000	Lane	
		US- 6,196,681-B1	03-06-2001	Canavan	
		US- D445,442-S	07-24-2001	Lee	
		US- D447,505-S	09-04-2001	Lane	
		US- D447,506-S	09-04-2001	Lane	
		US- D447,507-S	09-04-2001	Lane	
		US- D447,763-S	09-11-2001	Lane	
		US- D448,399-S	12-19-2001	Lane	
		US- D457,908-S	05-28-2002	Lane et al.	
		US- D458,953-S	07-18-2002	Lane	
		US- D462,374-S	09-03-2002	Lane et al.	
		US- D467,606-S	12-24-2002	Lane	
		US- D467,959-S	12-31-2002	Lane et al.	
		US- D467,961-S	12-31-2002	Lane	
		US- D468,339-S	01-07-2003	Lane	
		US- D472,264-S	03-25-2003	Lane	

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		US- D481,063-S	10-21-2003	Lane	
		US- 604,238-A	05-17-1898	Nerney	
		US- D481,410-S	10-28-2003	Lane	
		US- D482,717-S	11-25-2003	Lane et al.	
		US- D484,692-S	01-06-2004	Lane	
		US- D487,284-S	03-02-2004	Lane	
		US- D487,477-S	03-09-2004	Lane	
		US- D472,264-S	03-25-2003	Lane	
		US- D477,348-S	07-15-2003	Lane	
		US- 6,609,255-B2	08-26-2003	Lane et al.	
		US- D448,398-S	09-25-2003	Lane	
		US- D481,061-S	10-21-2003	Lane	
		US- D481,062-S	10-21-2003	Lane	
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